

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: DEALER MANAGEMENT SYSTEMS  
ANTITRUST LITIGATION

MDL No. 2817  
Case No. 1:18-CV-00864

*This Document Relates To:*

Hon. Robert M. Dow, Jr.

i3 Brands, Inc. et al. v. CDK Global, LLC, et al.,  
No. 1:19-CV-01412

**MOTION TO FOR LEAVE TO WITHDRAW AS COUNSEL**

NOW COMES Benesch, Friedlander, Coplan & Aronoff LLP (“Benesch”), pursuant to Local Rule 83.17 of the United States District Court for the Northern District of Illinois, and respectfully moves this Honorable Court to enter an order allowing it to withdraw as counsel for plaintiffs i3 Brands, Inc. and PartProtection, LLC (collectively, “Plaintiffs”), and, in support, states as follows:

1. Pursuant to Local Rule 83.17, an attorney of record in a proceeding in which the appearance was filed may not withdraw without first obtaining leave of Court. Benesch hereby seeks leave to permit the withdrawal of its undersigned attorneys as counsel for Plaintiffs in this action.<sup>1</sup>

2. A difference has arisen between Benesch and Plaintiffs with respect to certain obligations involving the attorney-client relationship.

3. Benesch has taken reasonable steps to avoid prejudice to Plaintiffs. It first raised the relevant issues with Plaintiffs in mid-August 2019. With a letter dated October 24, 2019, which

<sup>1</sup> Benesch also seeks an order permitting its attorneys who represent Plaintiffs in the underlying action, No. 1:19-CV-01412, to withdraw as counsel.

was both emailed to one of Plaintiffs' principals and sent overnight delivery to Plaintiffs, Benesch informed Plaintiffs that if the difference was not resolved by November 22, 2019, it would seek leave to withdraw. In addition, prior to filing the instant motion, the undersigned attorney called Plaintiffs, spoke to one of their principals and informed him that Benesch would be filing the motion and noticing it for hearing. Thus, Plaintiffs have had due notice of Benesch's intent to seek permission to withdraw and have had adequate opportunity to retain other counsel. Plaintiffs are free to retain new counsel to represent them in this action.

4. Likewise, Benesch's withdrawal will not delay the case, or otherwise prejudice Plaintiffs. Plaintiffs' action against Defendants is still at the pleadings stage. Moreover, Benesch will continue to represent Plaintiffs until the Court decides their pending motion to seal portions of their First Amended Complaint (Dkt. 825).

5. Benesch further requests that the Court and parties serve all future pleadings, notices, correspondence, and other documents upon Plaintiffs at their last known addresses:

PartProtection, LLC  
2196 Carmel Valley Road  
Del Mar, CA 92014

i3 Brands, Inc.  
2196 Carmel Valley Road  
Del Mar, CA 92014

6. Pursuant to Local Rule 83.17, Benesch has attached this Court's Notification of Party Contact Information as Exhibit A to this motion. Benesch has also given due notice of this motion as set forth above.

WHEREFORE, Benesch respectfully requests that the Court enter an order granting them leave to withdraw as counsel of record for Plaintiffs i3 Brands, Inc. and PartProtection, LLC, and to have Benesch removed from all service lists.

Dated: November 26, 2019

Respectfully submitted,

/s/ Michael E. Bloom

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*Attorneys for Plaintiffs i3 Brands, Inc. and  
PartProtection, LLC*

**CERTIFICATE OF SERVICE**

Michael E. Bloom, an attorney, hereby certifies that on November 26, 2019, he caused a true and correct copy of the foregoing **MOTION FOR LEAVE TO WITHDRAW AS COUNSEL** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system.

I also certify that I have served this filing by mailing it to Plaintiffs i3 Brands, Inc. and PartProtection, LLC on November 26, 2019, and emailing courtesy copies as follows:

i3 Brands, Inc.  
2196 Carmel Valley Road  
Del Mar, CA 92014  
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Michael.Lucas@i3brands.com

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/s/ Michael E. Bloom